

AN ORDINANCE APPROVING THE 936 EMPIRE AVENUE SUBDIVISION PLAT, LOCATED AT 936 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 936 Empire Avenue Subdivision located at 936 Empire Avenue, have petitioned the City Council for approval of the 936 Empire Avenue Subdivision plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 14, 2015 to receive input on the proposed subdivision;

WHEREAS, on January 14, 2015 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 12, 2015 the City Council held a public hearing on the proposed 936 Empire Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 936 Empire Avenue Subdivision plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 936 Empire Avenue Subdivision plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The plat is located at 936 Empire Avenue within the HR-1 District.
2. The 936 Empire Avenue Subdivision consists of Lots 24 & northerly ½ of 25 of Block 15 of the Snyder's Addition to the Park City Survey.
3. On October 27, 2014, the applicants submitted an application for a plat amendment to combine one and a half (1.5) lots containing a total of 2,812.5 square feet into one (1) lot of record.
4. The application was deemed complete on October 27, 2014.
5. The lots at 936 Empire Ave are currently vacant.
6. The HR-1 District requires a minimum lot area of 1,875 square feet for a single family dwelling.

7. The maximum footprint allowed in the HR-1 District is 1,201 square feet for the proposed lot based on the lot area of the lot.
8. The property to the north currently has a zero foot (0') side setback and the existing home to the north encroaches onto 936 Empire by approximately 0.3 feet on the lot line shared with 936 Lowell Ave as well as the existing retaining wall that encroaches approximately one foot.
9. The plat amendment secures public snow storage easements of ten (10') feet across the frontage of the lot.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Recordation of this plat and completion and approval of a final HDDR and Steep Slope CUP, if required, applications are required prior to building permit issuance for any construction on the proposed lot.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
5. A ten foot (10') wide public snow storage easement is required along the frontage of the lots with Lowell Avenue and shall be shown on the plat.
6. The lot to the north (Lot 23) contains a building with zero (0') side setbacks on the lot line shared with 936 Empire Ave. In order to comply with fire code the distance between buildings must be six (6') feet, or five (5') feet if a fire wall is implemented; this would require a side setback of six feet on the north lot line of 936 Empire Ave or a five foot setback if a fire wall is implemented.
7. The 930 Empire Avenue encroachments of the existing home crossing the property line by 0.3 feet and the existing retaining wall crossing the property by approximately one foot must be addressed prior to plat recordation.
8. Snowshed agreements from the northerly and southerly neighbors will be required.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of February, 2015

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Marci Heil, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney



EXHIBIT A

936 EMPIRE AVENUE RE-FLAT
AMENDMENT TO LOT 1 1855 EMPIRE AVENUE PLAT AMENDMENT SUBDIVISION
BLOCK 27 SNYDERS ADDITION
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 18
 TOWNSHIP 23 RANGE 4E
 SALT LAKE BASE AND MERIDIAN



- LEGEND:**
- PROPERTY LINE
 - CENTERLINE
 - EXHEMPT
 - LOT LINE
- 5P REBAR AND CAP S.E. END
 ● 5P REBAR AND CAP EMBOD END
 ■ 5P REBAR NO CAP

STREET ADDRESS ON EMPIRE AVE.

PROPERTY STATEMENT

I HEREBY CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE DESCRIBED PROPERTY.

GREGORY J. FERRARI, P.L.L.C. SURVEYOR
 MARCH 11, 2014

NOTES:

1. MODIFIED L-20 SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION AS REQUIRED BY THE CITY ENGINEER'S OFFICE AT THE TIME OF REVIEW OF THE BUILDING PERMIT.
2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE OF 1408.

LEGAL DESCRIPTION:

FORMER PARCEL 1855 OF LOT 1, AND THE NORTHERLY HALF OF LOT 2, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE.

LOT 1, A 10.00 AC. LOT, AND THE NORTHERLY HALF OF LOT 2, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE S 21.87° E 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3815.92 FT.

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF SUMMIT, I SE
 ON THIS _____ DAY OF _____, 2014,
 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID STATE AND COUNTY, HAVING BEEN DULY SWORN, _____, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, AND THAT HE SIGNED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT STEVE L. ROSENBERG, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, HAS HEREBY DEDICATED AND CONSENTED TO RECORD THE HEREIN DESCRIBED TRACT OF LAND AS SHOWN ON THE ATTACHED PLAT AND CONSENTS TO RECORD THE SAME. STEVE L. ROSENBERG, THE UNDERSIGNED, HAS HEREBY CONSENTED TO RECORD THE SAME. STEVE L. ROSENBERG, THE UNDERSIGNED, HAS HEREBY CONSENTED TO RECORD THE SAME. STEVE L. ROSENBERG, THE UNDERSIGNED, HAS HEREBY CONSENTED TO RECORD THE SAME. STEVE L. ROSENBERG, THE UNDERSIGNED, HAS HEREBY CONSENTED TO RECORD THE SAME.

FERRARI SURVEYING, LLC
 P.O. 68000 PARK CITY, UT
 (435) 640-0412

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014.
 BY: _____, S.W.R.C.

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014.
 BY: _____, CHAIRMAN

ENGINEER'S CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014.
 BY: _____, PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS _____ DAY OF _____, 2014.
 BY: _____, PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
 I CERTIFY THE RECORD OF SAID MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014.
 BY: _____, PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014.
 BY: _____, MAYOR

PARK CITY RECORDER'S DEPT.
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE TIME OF _____, PAGE ____.
 DATE _____, BOOK _____, PAGE ____.
 FEE _____ RECORDER _____

